

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

LARRY McMILLAN,	:	CIV. NO. 17-13435 (RMB)
	:	
Plaintiff	:	
	:	
v.	:	MEMORANDUM AND ORDER
	:	
C. RAY HUGHES, Administrator	:	
Southern State Correctional	:	
Facility, <i>et al.</i> ,	:	
	:	
Defendants	:	

BUMB, DISTRICT JUDGE

Plaintiff Larry McMillan, a prisoner confined at South Woods State Prison in Bridgeton, New Jersey, filed this civil rights complaint under 42 U.S.C. § 1983 challenging the legality of a strip search at Southern State Correctional Facility. (Compl., ECF No. 1.) On August 16, 2018, the Court (1) granted Plaintiff's IFP application; (2) screened the complaint and permitted Plaintiff's § 1983 and NJCRA claims for violation of the Fourth Amendment protection against unreasonable searches to proceed against Defendants John Doe#2 and John Doe#3; (3) dismissed the remainder of the claims without prejudice; (4) directed Plaintiff to file an Amended Complaint within 90 days, identifying John Doe #2 and John Doe #3 in order to effect service of the summons and complaint; or to (5) alternatively identify a prison official who had the ability to produce documents that would identify John Doe #2 and John Doe

#3. (Opinion and Order, ECF Nos. 2, 3.) The 90-day period to file an Amended Complaint expired on November 14, 2018. Plaintiff has not taken any further action in this matter.

The Court will administratively terminate this matter. Plaintiff shall have 30 days to reopen this matter by submitting in writing to the Court his reasons for failing to prosecute this action and comply with the Court's Order of August 16, 2018. If Plaintiff does not reopen this matter by timely providing reasons for his failure to prosecute, this matter shall be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

IT IS therefore on this 12th day of December 2018,

ORDERED that the Clerk of the Court shall administratively terminate this matter by marking it as CLOSED; administrative termination is not a dismissal; and it is further

ORDERED that if Plaintiff wishes to reopen this matter, he shall, within 30 days of the date of this Order, submit in writing to the Court, mailed to the Clerk of Court, Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Room 1050, Camden, NJ 08101, Plaintiff's reasons for failing to prosecute this action and failing to comply with this Court's Order of August 16, 2018; and it is further

ORDERED that if Plaintiff fails to reopen this matter by submitting reasons for his failure to prosecute and failure to

comply with this Court's Order of August 16, 2018, the Court shall dismiss this action with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

s/Renée Marie Bumb

RENÉE MARIE BUMB

United States District Judge